

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

In Re Bard IVC Filters Products
Liability Litigation

No. MD-15-02641-PHX-DGC

**ORDER GRANTING MOTION TO EXCLUDE
DEFENSE EXPERT OPINIONS UNDER FED.
R. EVID. 702 BASED ON THEIR USE OF THE
CRIMINAL LAW STANDARD OF
CERTAINTY**

Plaintiffs have filed a motion to exclude the defense expert opinions under Fed. R. Evid. 702 based on their use of the criminal law standard of certainty. Upon review of that motion [Doc. ____], analysis of Federal Rule of Evidence 702's requirements and all related filings and arguments presented to the Court, and for good cause being shown,

IT IS HEREBY ORDERED:

1. That Plaintiffs' motion to exclude the defense expert opinions under Fed. R. Evid. 702 based on their use of the criminal law standard of certain is GRANTED in its entirety;
2. That defense experts Clement J. Grassi, M.D. and Christopher S. Morris, M.D. are PROHIBITED from providing any testimony at trial concerning his use of the criminal law standard of certain; and
4. That defense experts Clement J. Grassi, M.D. and Christopher S. Morris, M.D. are PROHIBITED from providing any testimony at trial based on speculation and anecdotal personal experience.